

## **AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions and listings of claims in the application.

1. (Currently Amended) A kit for creating a spinal fixation assembly comprising:

a polyaxial bone screw having a first end constructed and arranged for threaded engagement in a spinal bone by application of an effective amount of rotational torque, and a second end constructed and arranged for swivelable attachment of a linking member, said linking member having a first end constructed and arranged for attachment of a connecting member and a second ~~machined~~ end constructed and arranged for swivelable attachment to said second end of said bone screw;

a connecting member constructed and arranged for adjustable positioning about said linking member ~~machined~~ first end; and

a linear fastener constructed and arranged to provide positive compressive attachment of said connecting member and said linking member ~~machined~~ first end;

whereby application of a non-rotational, linear force to said linear fastener fixedly engages said fastener about said linking member ~~machined~~ first end to produce and maintain a clamping force effective to produce a spinal fixation assembly having a fixed orientation.

2. (Currently Amended) The spinal fixation assembly kit of claim 1 wherein said second end of said bone~~[[ -]] screw member has a~~ is substantially~~[[ -]]~~ spherical ~~second end, said spherical external end~~ having a surface which is constructed and arranged to cooperate with a support collar, said support collar including a substantially spherical first surface and a generally flat second surface, whereby engagement of ~~[[a]]~~ the linear engaging fastener supplies a clamping force to said support collar for locking said linking element member in a chosen orientation.

3. (Currently Amended) The spinal fixation assembly kit of claim 2 wherein said linear fastener includes:

a collet member having a base end, a top end, an inner engaging surface, and an outer tapered compression surface positioned about a central axis;

a compression ring member having a base end, a front end, an inner tapered compression surface, and an outer surface positioned about a central axis;

wherein said inner tapered compression surface of said compression ring member is constructed and arranged for coaxial alignment and overlapping engagement with respect to said outer tapered compression surface of said collet member, said compression ring member linearly traversable with respect to said outer tapered surface of said collet member between a first release position and a second engaged position, wherein said collet member is placed over said first end of said linking element member in said first release position and wherein said engaged position results in said cooperating tapered surfaces compressing said collet member and

tensilely loading said compression ring member thereby supplying said clamping force and gripping the outer surface of said linking ~~element~~ member.

4. (Original) The spinal fixation assembly kit of claim 3 wherein said first end of said linking member includes a tensioning means; wherein said tensioning means is constructed and arranged to allow said linking member to be tensilely loaded prior to linear traversal of said compression ring member to said engagement engaged position with respect to said collet member.

5. (Currently Amended) The spinal fixation assembly kit of claim 4 wherein said tensioning means includes at least one groove extending around the circumference of said first end of said linking ~~element~~ member, wherein said at least one groove is constructed and arranged for gripping and placing a tensile load on said linking member prior to linear traversal of said compression ring member into said engagement engaged position with respect to said collet member.

6. (Currently Amended) The spinal fixation assembly kit of claim 4 wherein said linking member tensioning means includes at least one internal bore extending inwardly from said first end along ~~[[the]]~~ a longitudinal centerline of said linking member, wherein said at least one internal bore is constructed and arranged for gripping and placing a tensile load on said linking member prior to linear traversal of said compression ring member into said engagement engaged position with respect to said collet member.

7. (Original) The spinal fixation assembly kit of claim 6 wherein said internal bore includes threads.

8. (Currently Amended) The spinal fixation assembly kit of claim 4 wherein said tensioning means includes a frangible stem, whereby said frangible stem is severed from said first end of said linking element member when said linking element member reaches a predetermined tension, wherein said frangible stem is severed subsequent to linear traversal of said compression ring member into said engagement engaged position with respect to said collet member.

9. (Currently Amended) The spinal fixation assembly kit of claim 1 wherein said first end of said bone[[-engaging member]] screw has screw threads to engage said bone.

10.- 14 (Canceled)

15. (New) A kit for creating a spinal fixation assembly comprising:

a bone anchor having a first end constructed and arranged for engagement in a spinal bone, and a second end;

a linking member having a first end and a second end, said second end of said bone anchor and said second end of said linking member constructed and arranged for swivelable attachment therebetween;

a connecting member constructed and arranged for adjustable positioning about said first end of said linking member; and

a linear fastener constructed and arranged to secure said connecting member to said first end of said linking member, whereby application of a non-rotational, linear force to said linear fastener fixedly engages said fastener about said first end of said linking member to produce and maintain a clamping force between said linking member and said bone anchor effective to fix said connecting member to said linking member in a fixed orientation and to fix said linking member to said bone anchor in a fixed orientation.

16. (New) The spinal fixation assembly kit of claim 15 wherein said bone anchor is a polyaxial bone screw.